IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

OP.No. 10899 of 2002(V)

PETITIONER:

UNNIPATHUMMA, W/O.ALI HAJI,
THANNIKKUMPOYIL HOUSE,
KIZHAKKOTH AMSOM OF KOZHIKODE TALUK.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

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1. T.P.MOHAMMAD, S/O.ALI HAJI,
THANNIKKUMPOYIL HOUSE, KIZHAKKOTH AMSOM OF
KOZHIKODE TALUK.

2. THE BRANCH MANAGER,
FEDERAL BANK, SULTHAN BATHERY.

3. DEPUTY TAHSILDAR (RR), KOZHIKODE.

4. VILLAGE OFFICER, KIZHAKKOTH,
KOZHIKODE.

R3&4 BY G.P. SMT.SMITHA SUKUMAR
SRI.GEORGE VARGHESE (MANACHIRACKEL)

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.19166/2002 IN O.P. NO.10899/2002

DISMISSED:

6.12.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF PARTITION DEED NO.2036/1970 OF THE SUB REGISTRAR'S OFFICE, KODUVALLY.

P2: TRUE COPY OF THE NOTICE ISSUED BY R3 TO R1 DT.19.3.2002.

P3: TRUE COPY OF NOTICE DT.19.3.2002 ISSUED BY R3.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.10899 of 2002

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Dated this the 6th day of December, 2007.

JUDGMENT

Since counsel for second respondent-Bank submitted that Bank has withdrawn the request for revenue recovery proceedings and is pursuing remdy before the civil court, O.P. is allowed quashing revenue recovery proceedings against the petitioner. If any action is pending pursuant to revenue recovery proceedings, same shall be withdrawn by the third respondent.

C.N.RAMACHANDRAN NAIR
Judge

pms